PATENT
Atty Docket No.: 200313958-1

In The U.S. Patent and Trademark Office

In Re the Application of:

Inventor(s):	Bill Serra et al.	Confirmation No.:	9830
Serial No.:	10/697,688	Examiner:	James J. Debrow
Filed:	October 31, 2003	Group Art Unit:	2176

Title: DETERMINING A LOCATION FOR PLACING DATA IN A SPREADSHEET BASED ON A LOCATION OF THE DATA SOURCE

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P.O. Box 1450
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I hereby certify that this correspondence is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300 on May 22, 2007. This correspondence contains the following document(s):

1 sheet of Transmittal of Appeal Brief (2 copies).

25 sheets of Appeal Brief-Patents.

Respectfully submitted,

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May 22, 2007

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PATENT APPLICATION

ATTORNEY DOCKET NO. 200313958-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Bill Serra et al.	**Confirmation No.:**	9830
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TRANSMITTAL OF APPEAL BRIEF

Sir:

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on March 22, 2007.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) $500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

( ) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

( )	one month	$120.00
( )	two months	$450.00
( )	three months	$1020.00
( )	four months	$1590.00

( ) The extension fee has already been filled in this application.

(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of $500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

( ) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit:_____

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Number of pages: 28

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Attorney Docket No.: 200313958-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPEAL BRIEF - PATENTS

Sir:

This is an Appeal Brief in connection with the decisions of the Examiner in an Office Action dated December 22, 2006 ("12/22 Office Action"). It is respectfully submitted that the present application has been more than twice rejected. Each of the topics required in an Appeal Brief and a Table of Contents are presented herewith and labeled appropriately.

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(1) Real Party In Interest

The real party in interest is Hewlett-Packard Development Company, L.P.

(2) Related Appeals And Interferences

There are no other appeals or interferences related to this case.

(3) Status Of Claims

Claims 4 and 22 have been canceled. Claims 1-3, 5-21, and 23-34 are pending and rejected. All pending claims are hereby appealed.

(4) Status of Amendments

An amendment was filed in a RCE on November 15, 2006, subsequent to final Office Action dated August 15, 2006. This amendment has been entered and acted upon by the examiner, which resulted in the Office Action dated December 22, 2007. Claims 1-3, 5-21, and 23-34 on appeal are from the amendment.

(5) Summary Of Claimed Subject Matter

According to **Claim 1**, there is provided a method implemented by a computerized system comprising:

receiving data from a data source (710, FIG. 7; p. 21, ll. 10+);

determining a geographical location of the data source (p. 21, ll. 17+);

determining a location in an electronic spreadsheet for placing at least a portion of the data, wherein the determined spreadsheet location is based on the determined geographical location of the data source (750, FIG. 7; p. 23, ll. 1+);

inserting the data portion in the electronic spreadsheet at the determined spreadsheet location (760, FIG. 7; p. 23, ll. 10+); and

displaying the electronic spreadsheet to a user, wherein the electronic spreadsheet indicates the geographical location of the data source from a display of the data portion inserted at the determined location (p. 23, ll. 13+).

According to **Claim 9**, there is provided a method of using an electronic spreadsheet to display information at locations in the spreadsheet associated with the origin of the information, the method comprising:

receiving data from a plurality of sensors, each of the plurality of sensors situated at a separate geographical location (710, FIG. 7; p. 21, ll. 10+);

determining the separate geographical location of each of the plurality of sensors (p. 21, ll. 17+);

determining locations in the spreadsheet based on the determined separate geographical locations of the plurality of sensors such that one or more of at least a portion of the data from each of the plurality of sensors and a value is operable to be displayed in one or more of the

locations in the electronic spreadsheet, wherein the value is calculated from at least some of the data from the plurality of sensors (750, FIG. 7; p. 23, ll. 1+);

inserting the data portion from each of the plurality of sensors in the electronic spreadsheet at each of the determined spreadsheet locations (760, FIG. 7; p. 23, ll. 10+); and

providing a display in the electronic spreadsheet to a user at least one of the data portions inserted in one of the determined spreadsheet locations, wherein the display indicates the separate geographical location of one of the plurality of sensors (p. 23, ll. 13+).

According to **Claim 17**, there is provided a system comprising:

a plurality of data sensors (120a-n, FIG. 1; p. 6, ll. 14+); and

a computing platform operable to identify a geographical location of each of the data sensors; the computing platform is further operable to designate locations in an electronic spreadsheet based on the identified geographical locations of the plurality of data sensors to display at the designated locations in the electronic spreadsheet at least one of the data from the plurality of sensors and a value calculated from the data from one or more of the plurality of sensors (110, FIG. 1; p. 6, l. 21 to p. 9, l. 4); and

wherein the computing platform conveys to a user, via the electronic spreadsheet, a display of the at least one data at one of the designated locations in the electronic spreadsheet to indicate the geographical location of at least one of the data sensors (p. 9, ll. 5+).

According to **Claim 25**, there is provided an apparatus comprising:

means for receiving data from a plurality of sensors (110, FIG. 1; p. 6, ll. 21+);

means for determining a geographical location of each of the plurality of sensors (110, FIG. 1; p. 6, ll. 21+);

means for determining locations in an electronic spreadsheet based on the determined geographical locations of the plurality of sensors such that one or more of at least a portion of the data from each of the plurality of sensors and a value calculated from the data from one or more of the plurality of sensors is operable to be displayed in one or more of the determined locations in the electronic spreadsheet (110, FIG. 1; p. 6, l. 21 to p. 9, l. 4); and

means for providing a display in the electronic spreadsheet to a user at least one of the data portions inserted in one of the determined spreadsheet locations, wherein the display indicates the geographical location of one of the plurality of sensors (110, FIG. 1; p. 6, ll. 21 to p. 9, l. 4).

According to **Claim 30**, there is provided a computer readable medium on which is embedded a program, the program performing a method, the method comprising:

receiving data from a data source (710, FIG. 7; p. 21, ll. 10+);

determining a geographical location of the data source (p. 21, ll. 17+);

determining a location in an electronic spreadsheet for placing at least a portion of the data, wherein the determined spreadsheet location is based on the determined geographical location of the data source (750, FIG. 7; p. 23, ll. 1+);

inserting the data portion in the electronic spreadsheet at the determined spreadsheet location (760, FIG. 7; p. 23, ll. 10+); and

displaying the electronic spreadsheet to a user, wherein the electronic spreadsheet indicates the geographical location of the data source from a display of the data portion inserted at the determined location (p. 23, ll. 13+).

(6) Grounds of Rejection to be Reviewed on Appeal

a) Whether Claims 1-3, 5-21, and 23-34 should have been rejected under U.S.C. §103(a) as being unpatentable over Adler et al. (6,138,130) in view of Hsiung et al. (20030144746).

(7) Arguments

A. The rejection of Claims 1-3, 5-21, and 23-34 under 35 U.S.C. §103(a) as being unpatentable over Adler et al. in view of Hsiung et al. is improper

The test for determining if a claim is rendered obvious by one or more references for purposes of a rejection under 35 U.S.C. § 103 is set forth in MPEP § 706.02(j):

> To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Therefore, if the above-identified criteria are not met, then the cited reference(s) fails to render obvious the claimed invention and, thus, the claimed invention is distinguishable over the cited reference(s).

Independent Claims 1, 9, 17, 25, and 30

The Examiner alleged that Adler at al., at col. 6, ll. 43-56, teaches

> *displaying the electronic spreadsheet to a user, wherein the electronic spreadsheet indicates the geographical location of the data source from a display of the data portion inserted at the determined location*

merely because Adler at al. provides a CRT display that may present the user with a spreadsheet-like visual presentation of system data from data sources like a computer memory or a remote database computer system, and "using the broadest interpretation it would have been obvious that the spreadsheet presentation could contain the geographical location of the data source from a display of the data portion inserted at the determined location." (*See* 12/22 Office Action, p. 3).

First of all, Adler et al. at col. 6, ll. 43-56 (and throughout its disclosure) merely indicates the use of a CRT display to provide a display of a spreadsheet that contains calculated data the spreadsheet cells. Thus, there is no mention that such data may also indicate "the geographical location of the data source" that provides data to the spreadsheet cells as claimed. Of course, the spreadsheet in Adler et al. may be free to display any data desired by a user. However, that cannot be extended to say that it would have been obvious to include the *particular*

"geographical location of the data source" as claimed without any basis or support. Such an unfounded conclusion is akin to concluding that just because a box is capable of holding many items, it would have been obvious to place *specific computer components* in the box to make the box a computer server so as to reject a computer server in hindsight by merely citing to a box.

Second of all, as claimed, the "geographical location of the data source" must first be determined before it could be displayed to a user, and the 12/22 Office Action clearly admitted that Adler et al. fails to show such a determination (*see* 12/22 Office Action, p. 4). Thus, this is clear evidence that it would not have been obvious to one skilled in the art from Adler et al. alone that the CRT display is capable of providing a spreadsheet-like visual representation that includes information about the "geographical location of the data source" as claimed.

Furthermore, as admitted by the Examiner, Adler et al. fails to disclose the claimed features of: determining a geographical location of the data source (or sensor), determining or designating a location in an electronic spreadsheet for placing data received from the data source, wherein the determined spreadsheet location is based on the determined geographical location of the data source, and displaying or conveying the electronic spreadsheet to the user to indicate data from the data source and geographical location of such a data source (*See* 12/22 Office Action, p. 4). Yet, the 12/22 Office Action alleged that Hsiung et al. at paragraphs [0364] and [0365] discloses such claimed features, and it would have been obvious to combine Adler et al. with Hsiung et al. to reject the claimed invention.

It is respectfully submitted that Hsiung et al. cannot make up for such a deficiency, as alleged in the 12/22 Office Action, simply because Hsiung et al. also fails to disclose the

aforementioned features. Specifically, as cited in the final Office Action, Hsiung et al. merely states in paragraph [0365] that,

> Model Builders may also select the source of the training data. Training data can come from a real-time data server, a historical data server, or from a Microsoft Excel spreadsheet. Model Builders may specify the location of the training data for each sensor or model that is used as input to the model. If training data is being imported from an Excel spreadsheet, *data fields from the spreadsheet may be mapped to the appropriate sensor.* A function may be provided which enables the Model Builder to associate a sensor with a column of data in the spreadsheet. (Emphasis added).

Thus, the Model Builders may specify the location of the training data, e.g., as imported from an Excel spreadsheet, for each sensor by mapping such data from the spreadsheet to the appropriate sensor. In contrast, independent Claims 1, 9, 17, 25 and 30 recite the reverse, i.e., "determining [or identifying] a geographical location of the data source [or sensor]" and then

> determining [or designating] a location in an electronic spreadsheet for placing at least a portion of the data ***based on the determined geographical location of the data source***; (emphasis added).

Consequently, as claimed, a display of the data portion at *a* determined location in the spreadsheet provides *indication of the geographical location of the data source.* In other words, these claims recite a mapping *from* a geographical location of the data source *to* a location in a spreadsheet *based on* the *geographical location* of the data source. For example, as illustrated in FIGs. 3A and 5, the data center 300 may be divided into four geographical sections, 350-353 (FIG. 3A). Because the labeled temperature sensors 320a-f are located in the upper left section 350, their data are mapped to the upper left cells B2, C2, D2, B3, C3, and D3 of the spreadsheet illustrated in FIG. 5. Thus, the data mapping to the spreadsheet is based on the determined geographical location of the sensors 320a-f, and a user viewing the spreadsheet is able to

ascertain from the data in the upper left cells in the spreadsheet that there are sensors located in the upper left section 350 of the data center 300. The same can be seen for sensors 320 in the upper right section 351 (FIG. 3A), which correspond to data found in the upper right cells H2, I2, J2, H3, I3, and J3, and so on. Accordingly, the claimed mapping is in reverse to the data mapping in Hsiung et al., which involves mapping of training data from a spreadsheet to import into the sensors. Also, the claimed mapping is done based on the determined geographical location of the data source, which Hsiung et al. completely disregards when it initially enters the training data into the spreadsheet, before such training data is sent out the sensors.

Although Hsiung et al. states that "a function may be provided which enables the Model Builder to associate a sensor with a column of data in the spreadsheet," this association is only done *after* the data has been placed in the spreadsheet, and not *before* to allow such data to be *initially* placed at a particular location in the spreadsheet *based on* the geographical location of the sensor. In other words, Hsiung et al. is not at all concerned about initially placing data in a spreadsheet to indicate actual geographical location of the data sources, and any subsequent correlation between a cell data in the spreadsheet with a particular sensor is done after the data has been placed in the cell; thus, the placement of data in a cell is not at all based on the data source from which such data originated.

In the Response to Arguments section of the 12/22 Office Action, the Examiner improperly linked two different sections of Hsiung et al. to support the erroneous rejection of the claimed invention. The mere fact that Hsiung et al. provides for the acquisition of information or data from field mounted devices 105 for processing by a server, as cited in paragraphs [0030] –

[0033], has nothing to do with Hsiung et al. providing training data in a spreadsheet in paragraph [0365] that can be provided to the data sources for training purposes. In other words, there is no mention in Hsiung et al. of obtaining information/data from the data sources along with geographical locations of the data sources and displaying both information in the spreadsheet (instead of some training data) so that the user may view the spreadsheet to ascertain both the information from a data source and a geographical location of the data source.

Throughout the 12/22 Office Action, the Examiner insisted on "using the broadest reasonable interpretation" of the cited references Adler et al. and Hsiung et al. to reject the *specific* features of the claimed invention. This is akin to, for example, citing a "vehicle" to reject a claimed "space shuttle" just because the "space shuttle" is also a vehicle. Thus, it is respectfully submitted that the Examiner cannot employ the "broadest reasonable interpretation" of any reference to further add specific features in the reference that are not even taught or suggested by the reference, especially when such added features are particular to the claimed invention. To do so would amount to an improper reading of such a reference and improper hindsight.

Accordingly, because the Examiner failed to establish a *prima facie* case of obviousness against the pending claims, it is respectfully submitted that Claims 1-3, 5-21, and 23-34 are allowable and withdrawal of the rejection of these claims is respectfully requested.

(8) Conclusion

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For at least the reasons given above, the rejections of Claims 1-3, 5-21, and 23-34 are improper. Accordingly, it is respectfully requested that such rejections by the examiner be reversed and these claims be allowed. Attached below for the Board's convenience is an Appendix of claims 1-3, 5-21, and 23-34 as currently pending.

Please grant any required extensions of time and charge any fees due in connection with this Appeal Brief to deposit account no. 08-2025.

Respectfully submitted,

Dated: May 22, 2007

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(9) **Claim Appendix**

1. A method implemented by a computerized system comprising:

receiving data from a data source;

determining a geographical location of the data source;

determining a location in an electronic spreadsheet for placing at least a portion of the data, wherein the determined spreadsheet location is based on the determined geographical location of the data source;

inserting the data portion in the electronic spreadsheet at the determined spreadsheet location; and

displaying the electronic spreadsheet to a user, wherein the electronic spreadsheet indicates the geographical location of the data source from a display of the data portion inserted at the determined location.

2. The method of claim 1, further comprises:

calculating, as a function of time, a value associated with the at least a portion of the data from the data source; and

transmitting the value to a spreadsheet program for display in the electronic spreadsheet.

3. The method of claim 1, further comprising using the at least a portion of the data from the data source to control a device.

4. (Canceled).

5. The method of claim 1, further comprising transmitting the at least a portion of the data and the location in the spreadsheet to a spreadsheet program, wherein the spreadsheet program is operable to display the at least a portion of the data at the location.

6. The method of claim 1, further comprising:

calculating a total from the at least a portion of the data from the data source and at least a portion of data from at least one other data source physically located proximate the data source; and

determining a location in the spreadsheet for placing the total based on one or more of the location information for the data source and location information for the at least one other data source.

7. The method of claim 1, wherein determining a location in a spreadsheet based on the location information for the data source comprises mapping the location information for the data source to a predetermined location in the electronic spreadsheet.

8. The method of claim 1, further comprising:

identifying a view to be displayed in the spreadsheet;

determining whether the at least a portion of the data from the data source is in the view; and

transmitting the at least a portion of the data and the location in the electronic spreadsheet to a spreadsheet program in response to the at least a portion of the data being in the view, wherein the spreadsheet program is operable to display the at least a portion of the data at the location.

9. A method of using an electronic spreadsheet to display information at locations in the spreadsheet associated with the origin of the information, the method comprising:

receiving data from a plurality of sensors, each of the plurality of sensors situated at a separate geographical location;

determining the separate geographical location of each of the plurality of sensors;

determining locations in the spreadsheet based on the determined separate geographical locations of the plurality of sensors such that one or more of at least a portion of the data from each of the plurality of sensors and a value is operable to be displayed in one or more of the locations in the electronic spreadsheet, wherein the value is calculated from at least some of the data from the plurality of sensors;

inserting the data portion from each of the plurality of sensors in the electronic spreadsheet at each of the determined spreadsheet locations; and

providing a display in the electronic spreadsheet to a user at least one of the data portions inserted in one of the determined spreadsheet locations, wherein the display indicates the separate geographical location of one of the plurality of sensors.

10. The method of claim 9, further comprising:

calculating, as a function of time, the value; and

the step of determining locations in the spreadsheet comprises determining a location in the spreadsheet to display the value based on the location of at least one of the plurality of sensors.

11. The method of claim 9, further comprising controlling a device based on the value.

12. The method of claim 9, wherein the step of determining locations in the spreadsheet comprises:

selecting cells in the electronic spreadsheet to display at least one of the at least a portion of the data and the value.

13. The method of claim 9, further comprising transmitting the at least a portion of the data and the determined locations to a spreadsheet program, wherein the spreadsheet program is operable to display the at least a portion of the data in the determined locations.

14. The method of claim 9, further comprising:

dividing an area into a plurality of sections, the plurality of sensors being located in the area;

receiving a selection of a view including at least one of the plurality of sections;

determining whether any of the plurality of sensors are located in the at least one of the plurality of sections; and

transmitting data from the plurality of sensors located in the at least one of the plurality of sections and the determined locations for the plurality of sensors located in the at least one of the plurality of sections to a spreadsheet program operable to display the data from the plurality of sensors located in the at least one of the plurality of sections at the determined locations.

15. The method of claim 14, further comprising:

calculating a total from the data from at least some of the sensors located in the at least one of the plurality of sections; and

transmitting the total to a spreadsheet program operable to display the total at one of the determined locations associated with the at least some of the sensors.

16. The method of claim 9, wherein determining locations in the spreadsheet comprises mapping the locations of the plurality of sensors to predetermined locations in the electronic spreadsheet.

17. A system comprising:

a plurality of data sensors; and

a computing platform operable to identify a geographical location of each of the data sensors; the computing platform is further operable to designate locations in an electronic spreadsheet based on the identified geographical locations of the plurality of data sensors to display at the designated locations in the electronic spreadsheet at least one of the data from the plurality of sensors and a value calculated from the data from one or more of the plurality of sensors; and

wherein the computing platform conveys to a user, via the electronic spreadsheet, a display of the at least one data at one of the designated locations in the electronic spreadsheet to indicate the geographical location of at least one of the data sensors.

18. The system of claim 17, wherein the computing platform is operable to calculate the value as a function of time.

19. The system of claim 17, further comprising at least one other electronic spreadsheet operable to use data contained in the electronic spreadsheet to perform a mathematical function.

20. The system of claim 17, further comprising at least one device controlled by the computing platform based on the data from one or more of the plurality of data sensors.

21. The system of claim 17, further comprising a configuration repository storing the data from the plurality of data sensors and the locations in the electronic spreadsheet for placing the data from the plurality of data sensors, wherein the computing platform is operable to retrieve the locations in the electronic spreadsheet from the configuration repository to determine where to place the data from the plurality of data sensors in the electronic spreadsheet.

22. (Canceled).

23. The system of claim 17, wherein the plurality of sensors comprises a plurality of sensors in a data center and the computing platform is operable to facilitate the placement of the data from the plurality of the sensors in the locations in the spreadsheet associated with locations of the plurality sensors in the data center.

24. The system of claim 23, wherein the computing platform is operable to facilitate the generation of different views of the sensors in the data center, the different views being provided in the spreadsheet.

25. An apparatus comprising:

means for receiving data from a plurality of sensors;

means for determining a geographical location of each of the plurality of sensors;

means for determining locations in an electronic spreadsheet based on the determined geographical locations of the plurality of sensors such that one or more of at least a portion of the data from each of the plurality of sensors and a value calculated from the data from one or more of the plurality of sensors is operable to be displayed in one or more of the determined locations in the electronic spreadsheet; and

means for providing a display in the electronic spreadsheet to a user at least one of the data portions inserted in one of the determined spreadsheet locations, wherein the display indicates the geographical location of one of the plurality of sensors.

26. The apparatus of claim 25 further comprising means for calculating as a function of time the value.

27. The apparatus of claim 25, further comprising means for controlling a device based on the calculated value.

28. The apparatus of claim 25, further comprising storage means for storing the data from the sensors and the locations in the spreadsheet, wherein the means for determining the locations in the spreadsheet is operable to retrieve the locations in the spreadsheet from the storage means based on the locations of the plurality of sensors.

29. The apparatus of claim 25, further comprising means for receiving user selections associated with a view to be displayed in the spreadsheet, the view including at least one of the data from one or more of the plurality of sensors and the value.

30. A computer readable medium on which is embedded a program, the program performing a method, the method comprising:

receiving data from a data source;

determining a geographical location of the data source;

determining a location in an electronic spreadsheet for placing at least a portion of the data, wherein the determined spreadsheet location is based on the determined geographical location of the data source;

inserting the data portion in the electronic spreadsheet at the determined location; and

displaying the electronic spreadsheet to a user, wherein the electronic spreadsheet indicates the geographical location of the data source from a display of the data portion inserted at the determined spreadsheet location.

31. The computer readable medium of claim 30, wherein the method further comprises:

calculating, as a function of time, a value associated with the at least a portion of the data from the data source; and

transmitting the value to a spreadsheet program for display in the electronic spreadsheet.

32. The computer readable medium of claim 30, wherein the method further comprises the at least a portion of the data to control a device.

33. The computer readable medium of claim 30, wherein the method further comprises determining the location information for the data source, wherein the location information is associated with a geographical location of the data source.

34. The computer readable medium of claim 30, wherein the method further comprises transmitting the at least a portion of the data and the location in the electronic spreadsheet to a spreadsheet program, wherein the spreadsheet program is operable to display the at least a portion of the data at the location.

(10) Evidence Appendix

None.

(11) Related Proceedings Appendix

None.